

United States District Court
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

WAYNE J. ROBERTSON,

No. C 03-3496 MEJ

Plaintiff(s),

**ORDER DIRECTING DEFENDANT
MCGRATH TO FILE
CONSENT/DECLINATION FORM**

vs.

OFFICER R. CUSACK, et al.,

Defendant(s).

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Pending before the Court is defendant J. McGrath's Motion to Dismiss, filed on July 14, 2006. Upon review of the record in this action, the Court notes that McGrath has not filed a written consent to Magistrate Judge James' jurisdiction or request for reassignment to a United States District Court judge for trial. This civil case was randomly assigned to United States Magistrate Judge Maria-Elena James for all purposes including trial. In accordance with Title 28, U.S.C. § 636(c), the magistrate judges of this District Court are designated to conduct any and all proceedings in a civil case, including a jury or non-jury trial, and to order the entry of final judgment, upon the consent of the parties. An appeal from a judgment entered by Magistrate Judge James may be taken directly to the United States Court of Appeals for the Ninth Circuit in the same manner as an appeal from any other judgment of a district court.

You have the right to have your case assigned to a United States District Judge for trial and

1 disposition. Accordingly, McGrath shall inform the Court whether he consents to Magistrate Judge
2 James' jurisdiction or requests reassignment to a United States District Judge for trial. A copy of
3 both the consent and declination forms may be obtained from the Northern District of California's
4 website at <http://www.cand.uscourts.gov/>. From the homepage, click on the "Forms" tab on the left
5 margin, then choose "Civil." McGrath shall inform the Court as soon as possible, but no later than
6 July 28, 2006.

7 **IT IS SO ORDERED.**

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9 Dated: July 17, 2006

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MARIA-ELENA JAMES
United States Magistrate Judge